

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

JIM BEALL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.
	)	
TAKHAR COLLECTION SERVICES, LTD.,	)	
	)	
Defendant.	)	

**PLAINTIFF’S COMPLAINT AND DEMAND FOR JURY TRIAL**

JIM BEALL (“Plaintiff”), through his attorneys, KROHN & MOSS, LTD., alleges the following against TAKHAR COLLECTION SERVICES, LTD. (“Defendant”):

**INTRODUCTION**

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”
4. Defendant conducts business in the state of Illinois, and therefore, personal jurisdiction is established.
5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

**PARTIES**

6. Plaintiff is a natural person residing in Lindenwood, Ogle County, Illinois.

7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6).

8. Plaintiff is informed and believes, and thereon alleges, that Defendant is a corporation located in Niagara Falls, New York.

9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

### **FACTUAL ALLEGATIONS**

10. Defendant constantly and continuously placed calls to Plaintiff seeking to speak with someone other than the Plaintiff.

11. Defendant placed approximately eight (8) calls to Plaintiff within a two (2) week period.

12. Defendant contacted Plaintiff on Plaintiff's cell phone number 815-262-9384.

13. Plaintiff informed Defendant that the Defendant had the wrong telephone number and that the person Defendant is attempting to reach is not available at Plaintiff's number.

14. Defendant told Plaintiff that Plaintiff's telephone number would be removed yet Defendant continued to contact Plaintiff.

### **COUNT I** **DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

15. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person.
- b. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring or engaged any person in telephone conversations repeatedly.

WHEREFORE, Plaintiff, JIM BEALL, respectfully requests judgment be entered against Defendant, TAKHAR COLLECTION SERVICES, LTD., for the following:

16. Statutory damages of \$1,000.00, pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*;
17. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*; and
18. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Adam T. Hill  
Adam T. Hill  
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Attorneys for Plaintiff

**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, JIM BEALL, demands a jury trial in this case.

**VERIFICATION OF COMPLAINT AND CERTIFICATION**

(STATE OF ILLINOIS

COUNTY OF OGLE)

Plaintiff, JIM BEALL, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, JIM BEALL, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

10-20-10  
Date

  
JIM BEALL